

REMARKS

Claims 1, 2, 5 and 9 are pending in this application. The Examiner maintains the prior art rejections of these claims, although the reasons for these rejections have been modified only slightly from those set forth in the previous Office Actions dated July 29, 2003. In particular, the Examiner rejects:

- claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Isley, Jr. et al. (Isley) and IBM Technical Disclosure Bulletin (IBM_TDB); and
- claims 5 and 9 under 35 U.S.C. § 130(a) as being unpatentable over AAPA in view of Isley and IBM_TDB, and further in view of Thorne, III et al. (Thorne).

The Examiner responds to the arguments presented in Applicant's previous Amendment filed October 29, 2003 (which has been entered upon filing of the RCE on December 1, 2003) by reiterating all of his previous arguments (see Office Action dated July 29, 2003), and adding a general reference to Fig. 2 of IBM_TDB to address the feature of "a digital connection" added in independent claim 1 by the October 29, 2003 Amendment.

In order to facilitate the Examiner's understanding of all of the features of Applicant's claimed invention, Applicant further amends independent claim 1 (as set forth above) even more explicitly to recite the feature of allowing authorized third party access to an established communication between a first party and a second party. Applicant respectfully submits that this amendment merely makes explicit what was believed to have been implicitly required in the original claim 1, and therefore, does not narrow the scope of claim 1. No estoppel is created.

Applicant respectfully traverses the Examiner's rejections of claim 1, and thereby its dependent claims 2, 5 and 9 as follows.

For the reasons set forth in the October 29, 2003 Amendment, even the unlikely combination of AAPA, Isley and IBM_TDB does not teach or suggest any means or methodology for handling a request from **a third party** device attempting to enter into an **established** connection between a first party device and a second party device, as recited in Applicant's independent claim 1.

In the present Office Action, the Examiner continues his piece-meal analysis of three separate references in an attempt to construct the combination of method steps as recited in Applicant's claim 1.

Notwithstanding the Examiner's renewed argument that the alleged combination of AAPA, Isley and IBM_TDB is proper (see Office Action, paragraph 6), such a position does not find any support in the actual disclosure of these cited references. That is, the Examiner has not provided any reasoning, based on either the actual disclosure of the cited references, or the general knowledge of artisans skilled in the relevant art, to support his allegation that it would have been obvious, not only to modifying AAPA and Isley to include IBM_TDB login of a first device (user) onto a second device (host), but to **further modify AAPA and Isley to include means for handling a request from a third device (e.g., another user) attempting to access the connection established between the first device and the second device**, as required by Applicant's independent claim 1. In fact, none of the cited prior art references discloses, teaches

or suggests any means for handling a request from a third device attempting to access the connection established between the first device and the second device.

Therefore, Applicant's independent claim 1 and the dependent claims 2, 5 and 9 (which incorporate all the novel and unobvious features of their base claim 1) would not have been obvious from the unlikely combination of the cited prior art references at least for these reasons.

In view of the above, reconsideration and allowance of this application with all of claims 1, 2, 5 and 9 are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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